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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,365	08/10/2005	Vishvas Prabhakar Ambardekar		9843

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EXAMINER

HOLMES, JUSTIN K

ART UNIT	PAPER NUMBER
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3681

MAIL DATE	DELIVERY MODE
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07/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/520,365

Applicant(s)

AMBARDEKAR, VISHVAS
PRABHAKAR

Examiner

Justin K. Holmes

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-9 is/are rejected.
- 7) ☒ Claim(s) 3, 4 and 10-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The Examiner acknowledges receipt of the Oath and Declaration filed on August 10, 2005.
2. Claims 1-18 are currently pending.

Claim Objections

3. Claims 3, 4 and 10-18 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only and cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, claims 3, 4 and 10-18 have not been further treated on the merits.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1, 2 and 5-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 1 recites the limitation "each external gear" in line 1. There is insufficient antecedent basis for this limitation in the claim.
7. Claim 1 recites the limitation "the input shaft" in line 3. There is insufficient antecedent basis for this limitation in the claim.
8. Claim 1 recites the limitation "the output shaft" in line 9. There is insufficient antecedent basis for this limitation in the claim.

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9. Claim 1 recites the limitation "the fixed part" in line 10. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 5 recites the limitation "the eccentric gear pair" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 5 recites the limitation "axes" in line 2. There is insufficient antecedent basis for this limitation in the claim.

12. Claim 5 recites the limitation "the external gears" in line 3. There is insufficient antecedent basis for this limitation in the claim.

13. Claim 5 recites the limitation "the input shaft" in line 5. There is insufficient antecedent basis for this limitation in the claim.

14. Claim 5 recites the limitation "the output shaft" in line 9. There is insufficient antecedent basis for this limitation in the claim.

15. Claim 8 recites the limitation "the internal gears" in line 1. There is insufficient antecedent basis for this limitation in the claim.

16. Claim 8 recites the limitation "the eccentric gear" in line 1. There is insufficient antecedent basis for this limitation in the claim.

17. Claim 8 recites the limitation "the external gears" in lines 2 and 3. There is insufficient antecedent basis for this limitation in the claim.

18. Claim 8 recites the limitation "the output shaft" in line 3. There is insufficient antecedent basis for this limitation in the claim.

19. Claim 8 recites the limitation "the input shaft" in line 7. There is insufficient antecedent basis for this limitation in the claim.

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20. Claim 8 recites the limitation "these spur gears" in line 9. There is insufficient antecedent basis for this limitation in the claim.

21. Claim 8 recites the limitation "the driven gears" in 9. There is insufficient antecedent basis for this limitation in the claim.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 1,984,235 to Sharpe; U.S. Patent No. 4,807,494 to Lew; U.S. Patent No. 4,884,473 to Lew; U.S. Patent No. 5,324,240 to Guttinger; U.S. Patent No. 5,425,683 to Bang; U.S. Patent No. 7,216,845 to Jones; and U.S. Publication No. 2003/0054912 to Nohara et al. all teach various eccentric gear boxes.

Facsimile Transmission

Submission of your response by facsimile transmission is encouraged. Group 3600's facsimile number is (571) 273-8300. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase a patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as the PTO's mail room processing and delivery time. For a complete list of correspondence not permitted by facsimile transmission, see MPEP 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission.

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Responses requiring a fee which applicant is paying by check should not be submitting by facsimile transmission separately from the check.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP 512). The following is an example of the format the certification might take:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on _____ (Date)

Typed or printed name of person signing this certificate:

(Signature)


If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response after your response has been transmitted by facsimile will only cause further unnecessary delays in the processing of your application; duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin K. Holmes whose telephone number is (571) 272-5930. The examiner can normally be reached on 8:00am to 4:30pm Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


JKH
6/25/07


CHARLES A. MARMOR
SUPERVISORY PATENT EXAMINER
3681